



09898708

14P12  
PATENT  
JG

Applicant(s): James Joseph Babka et al.

Assignee: Trilogy Development Group, Inc.

Title: EFFICIENT TECHNIQUE FOR MATCHING HIERARCHIES OF ARBITRARY SIZE AND STRUCTURE WITHOUT REGARD TO ORDERING OF ELEMENTS

Patent No.: 7,062,493

Issued: June 13, 2006

Atty. Docket No.: 027-0006

October 12, 2006

Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR ISSUANCE OF AN APPLICATION IN THE NAME OF THE ASSIGNEE UNDER 37 C.F.R. § 3.81(B)**

1. Patentee hereby petitions to correct the assignee's name on the above-identified patent by issuing the attached Certificate of Correction.
2. Applicant requests that 37 C.F.R. § 3.81(a) be waived to permit the correct name of the assignee to be provided after issuance of the patent. The failure to include the correct assignee name on the PTOL-85B was inadvertent. The assignment to Trilogy Development Group, Inc. was submitted for recordation as set forth in § 3.11 before issuance of the patent, as evidenced by the attached copy of the notice of recordation of assignment to Trilogy Development Group, Inc. mailed September 19, 2001 as well as by the attached copy of the record in the Assignment database reflecting the assignment document that was actually recorded, with Trilogy Development Group, Inc. as the assignee.
3. This petition is accompanied by the processing fee set forth in 37 C.F.R. § 1.17 (i), as well as a Request for Certificate of Correction under 37 C.F.R. § 1.323.

10/18/2006 CNGUYEN 00000043 7062493

01 FC:1464

130.00 0P

4. The \$130.00 fee required under 37 C.F.R. § 1.17(i) is submitted as follows:

- The fee is being paid by credit card as directed in the attached Form PTO-2038.
- A check is enclosed for this fee.
- Please charge this fee to Deposit Account 50-0631. A duplicate of this request is attached.
- The Commissioner is hereby authorized to charge any deficiency in fees and any additional fees that may be required by this paper, and to similarly credit any overpayment, to Deposit Account 50-0631.

Respectfully submitted,



Kimberley Elcess, Reg. No. 36,128  
Agent for Applicant(s)  
(512) 338-6321 (direct)  
(512) 338-6300 (main)  
(512) 338-6301 (fax)

DOCKETED

SEP 28 2001



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 19, 2001

PTAS

ZAGORIN, O'BRIEN & GRAHAM, L.L.P.  
DAVID W. O'BRIEN  
401 WEST 15TH STREET, SUITE 870  
AUSTIN, TX 78701



\*101778227A\*

RECEIVED  
U.S. PATENT AND TRADEMARK OFFICE  
SEP 24 2001

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/13/2001

REEL/FRAME: 011970/0834  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BABKA, JAMES J.

DOC DATE: 07/02/2001

ASSIGNOR:

SURDULESCU, RAZVAN

DOC DATE: 07/02/2001

ASSIGNEE:

TRILOGY DEVELOPMENT GROUP, INC.  
6034 WEST COURTYARD DRIVE  
AUSTIN, TEXAS 78730

SERIAL NUMBER: 09898708  
PATENT NUMBER:

FILING DATE: 07/03/2001  
ISSUE DATE:

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07-17-2001



101778227

RECORDATION FORM COVER SHEET  
PATENTS ONLY

ATTORNEY DOCKET NO.: 027-0006

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

s and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies)

James J. Babka

Razvan Surdulescu



Additional name(s) of conveying party(ies) attached?

 Yes  No

## 2. Name and address of receiving party(ies):

Name: Trilogy Development Group, Inc.

Internal Address:

JC971 U.S. PRO  
09/898708

Street Address: 6034 West Courtyard Drive

City: Austin State: TX ZIP: 78730

Additional name(s) & address(es) attached?  Yes  No

## 3. Nature of Conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: July 2, 2001

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: July 2, 2001

A. Patent Application No.:

B. Patent No.:

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name David W. O'Brien

Internal Address: Zagorin, O'Brien &amp; Graham, L.L.P.

Street Address: 401 West 15<sup>th</sup> Street, Suite 870

City AUSTIN State TX ZIP 78701

## 6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41): \$ 40.00

A check is enclosed for the Total Fee shown above  
 Please charge the Total Fee shown above to Deposit Account 50-0631  
 Authorized to charge additional fees to Deposit Account 50-0631

07/10/2001 HNOOR1 00000013 09898708

04 FC:581

40.00 DP

DO NOT USE THIS SPACE

## 8. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

David W. O'Brien, Reg. No. 40,107

Name of Person Signing

Signature

7/3/01

Date

Total number of pages including cover sheet: 3

Express Mail Label No.: EL675711045US

## **ASSIGNMENT OF INVENTION**

For good and valuable consideration, the receipt of which is hereby acknowledged,  
I, an ASSIGNOR named below,

James J. Babka of Round Rock, Texas  
Razvan Surdulescu of Austin, Texas

hereby sell, assign and transfer to

ASSIGNEE: Trilogy Development Group, Inc. a Delaware Corporation, having  
a principal place of business located at 6034 West Courtyard Drive,  
Austin, TX 78730,

its successors, assigns and legal representatives, my entire right, title and interest throughout  
the world, including all rights to claim priority, in and to the invention(s) disclosed in:

- U.S. Patent Application executed on or about the date of this Assignment,
- U.S. Patent Application executed on \_\_\_\_\_, or
- U.S. Provisional Application
- U.S. Application No.: \_\_\_\_\_, filed on \_\_\_\_\_
- International Application No.: PCT/\_\_\_\_\_, filed on \_\_\_\_\_

ENTITLED: **EFFICIENT TECHNIQUE FOR MATCHING  
HIERARCHIES OF ARBITRARY SIZE AND STRUCTURE  
WITHOUT REGARD TO ORDERING OF ELEMENTS**, and  
naming as

INVENTOR(S): James J. Babka and Razvan Surdulescu

including without limitation, my entire right, title and interest in and to any and all United  
States and foreign applications (including international, regional and foreign national  
applications) for said invention(s), including divisions, continuations, continuations-in-part,  
renewals, substitutes and extensions thereof, and in and to any and all patents of every  
country or region that may be granted or have been granted for said invention(s), including  
any reissues and reexaminations thereof.

To comply with 37 C.F.R. § 3.21 for recording this Assignment, I authorize and request that  
the application number and filing date be inserted here, if not already shown above,  
(\_\_\_\_\_/\_\_\_\_\_, filed \_\_\_\_\_) when they become known.

I authorize ASSIGNEE to apply for patents of foreign countries for said invention(s), and to  
claim all rights of priority without further authorization from me.

I agree to execute any and all papers useful in connection with any and all United States and  
foreign applications (including international, regional, and foreign national applications), and  
generally to do everything possible to aid ASSIGNEE, its successors, assigns and nominees,  
at their request and reasonable expense, in obtaining and enforcing patents for said  
invention(s) in all countries.

I hereby covenant that no assignment, sale, license, agreement, or encumbrance has been or  
will be made or entered into that would conflict with this Assignment.

## ASSIGNMENT OF INVENTION

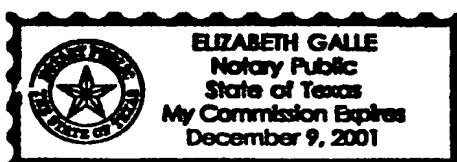
I authorize and request the Commissioner of Patents and Trademarks to issue any U.S. Letters Patent that may be granted for said invention(s) to ASSIGNEE, its successors or assigns.

Executed on 7/2, 2001 by James J. Babka  
James J. Babka

----- Notary Use Below -----

State of TEXAS  
County of Travis

On July 2, 2001, James J. Babka, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within this instrument, personally appeared before me and acknowledged to me that he/she executed this instrument in his/her authorized capacity, and that by his/her signature, he/she or the entity upon behalf of which he/she acted, executed the instrument.



WITNESS my hand and official seal.

Elizabeth Galle  
Signature of Notary

Executed on JULY 2<sup>nd</sup>, 2001 by Razvan Surdulescu

----- Notary Use Below -----

State of TEXAS  
County of TRAVIS

On July 2, 2001, Razvan Surdulescu, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within this instrument, personally appeared before me and acknowledged to me that he/she executed this instrument in his/her authorized capacity, and that by his/her signature, he/she or the entity upon behalf of which he/she acted, executed the instrument.



WITNESS my hand and official seal.

Lori Shay Capeo  
Signature of Notary



## Patent Assignment Abstract of Title

**Total Assignments: 1**

Application #: 09898708

PCT #: NONE

Inventors: James J. Babka, Razvan Surdulescu

Title: EFFICIENT TECHNIQUE FOR MATCHING HIERARCHIES OF ARBITRARY SIZE AND STRUCTURE WITHOUT REGARD TO ORDERING OF ELEMENTS

**Assignment: 1**

Reel/Frame: 011970 / 0834

Received: 07/17/2001

Recorded: 07/13/2001

Mailed: 09/19/2001

Pages: 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: BABKA, JAMES J.

SURDULESCU, RAZVAN

Exec Dt: 07/02/2001

Exec Dt: 07/02/2001

Assignee: TRILOGY DEVELOPMENT GROUP, INC.

6034 WEST COURTYARD DRIVE

AUSTIN, TEXAS 78730

Correspondent: ZAGORIN, O'BRIEN & GRAHAM, L.L.P.

DAVID W. O'BRIEN

401 WEST 15TH STREET, SUITE 870

AUSTIN, TX 78701

Search Results as of: 10/10/2006 12:02:14 PM

**Disclaimer:**

Assignment information on the assignment database reflects assignment documents that have been actually recorded.

If the assignment for a patent was not recorded, the name of the assignee on the patent application publication or patent may be different.

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 571-272-3350

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James Joseph Babka et al.

Assignee: Trilogy Development Group, Inc.

Title: EFFICIENT TECHNIQUE FOR MATCHING HIERARCHIES OF ARBITRARY SIZE AND STRUCTURE WITHOUT REGARD TO ORDERING OF ELEMENTS

Patent No.: 7,062,493

Issued: June 13, 2006

Atty. Docket No.: 027-0006

October 12, 2006

Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT—  
APPLICANT'S MISTAKE (37 C.F.R. § 1.323)**

1. It is noted that an error appears in this patent of a clerical, typographical, or minor nature or character, as more fully described below. It occurred in good faith. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is requested.
2. Attached hereto is Form PTO/SB/44 (PTO-1050) suitable for printing.
3. The exact page and line number where the error(s) occur(s) in the application file is:  
Notice of Allowance, item 3
4. Please send the Certificate to:

Kimberley Elcess  
Zagorin O'Brien Graham LLP  
7600B N. Capital of Texas Hwy, Suite 350  
Austin, TX 78731

10/18/2006 CNGUYEN 00000043 7062493

02 FC:1811

100.00 0P

5. The \$100.00 fee required under 37 C.F.R. § 1.20(a) is submitted as follows:

- The fee is being paid by credit card as directed in the attached Form PTO-2038.
- A check is enclosed for this fee.
- Please charge this fee to Deposit Account 50-0631. A duplicate of this request is attached.
- The Commissioner is hereby authorized to charge any deficiency in fees and any additional fees that may be required by this paper, and to similarly credit any overpayment, to Deposit Account 50-0631.

Respectfully submitted,



Kimberley Elcess, Reg. No. 36,128  
Agent for Applicant(s)  
(512) 338-6321 (direct)  
(512) 338-6300 (main)  
(512) 338-6301 (fax)

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO : 7,062,493

DATED : June 13, 2006

INVENTOR(S) : James Joseph Babka et al.

It is certified that error(s) appear(s) in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On title page, please change Assignee information listed under No. (73) "Trilogy Software, Inc." to --Trilogy Development Group, Inc.--.

MAILING ADDRESS OF SENDER:

ZAGORIN O'BRIEN GRAHAM LLP  
7600B N. Capital of Texas Hwy., Suite 350  
Austin, Texas 78731

PATENT NO. 7,062,493